

107TH CONGRESS
1ST SESSION

H. R. 1824

To increase the rate of pay for certain offices and positions within the executive and judicial branches of the Government, respectively, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2001

Mr. TOM DAVIS of Virginia introduced the following bill; which was referred to the Committee on Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To increase the rate of pay for certain offices and positions within the executive and judicial branches of the Government, respectively, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PROVISIONS RELATING TO CERTAIN OFFICES**

4 **AND POSITIONS WITHIN THE EXECUTIVE** 5 **BRANCH.**

6 (a) SALARY OF THE VICE PRESIDENT.—

7 (1) IN GENERAL.—Section 104 of title 3,
8 United States Code, is amended—

1 (A) by redesignating subsection (a) as sub-
2 section (a)(1) and subsection (b) as paragraph
3 (2); and

4 (B) by adding at the end the following:

5 “(b)(1)(A) Effective at the beginning of the first
6 month in which any comparability payment becomes pay-
7 able under section 5304 or 5304a of title 5 with respect
8 to General Schedule employees within the District of Co-
9 lumbia during any year, the per annum rate of salary of
10 the Vice President (exclusive of any previous adjustment
11 under this subsection) shall be adjusted by an amount,
12 rounded to the nearest multiple of \$100 (or if midway be-
13 tween multiples of \$100, to the next highest multiple of
14 \$100) equal to the percentage of such per annum rate
15 which corresponds to the percentage adjustment becoming
16 so payable with respect to General Schedule employees
17 within the District of Columbia under such section 5304
18 or 5304a (as applicable).

19 “(B) If an adjustment under this subsection is sched-
20 uled to take effect on the same date as an adjustment
21 under subsection (a), the adjustment under subsection (a)
22 shall be made first.

23 “(2) The rate of salary of the Vice President, as ad-
24 justed under paragraph (1), shall for all purposes be treat-
25 ed as the rate of salary of the Vice President, except as

1 otherwise provided in subsection (a), paragraph (1), or
 2 any other provision of law.

3 “(3) Nothing in this subsection shall be considered
 4 to permit or require the continuation of an adjustment
 5 under paragraph (1) after the comparability payment (for
 6 General Schedule employees within the District of Colum-
 7 bia) on which it was based has been terminated or super-
 8 seded.”.

9 (2) CONFORMING AMENDMENTS.—Section 104
 10 of title 3, United States Code, is amended—

11 (A) in the second sentence of subsection

12 (a)(1) (as so redesignated)—

13 (i) by striking “Subject to subsection

14 (b),” and inserting “Subject to paragraph

15 (2),”; and

16 (ii) by inserting “(exclusive of any

17 previous adjustment under subsection (b))”

18 after “the salary of the Vice President”;

19 and

20 (B) in subsection (a)(2) (as so redesign-

21 nated), by striking “subsection (a)” and insert-

22 ing “paragraph (1)”.

23 (b) EXECUTIVE SCHEDULE PAY RATES.—

24 (1) IN GENERAL.—Section 5318 of title 5,

25 United States Code, is amended—

1 (A) by redesignating subsection (a) as sub-
2 section (a)(1) and subsection (b) as paragraph
3 (2); and

4 (B) by adding at the end the following:

5 “(b)(1)(A) Effective at the beginning of the first ap-
6 plicable pay period commencing on or after the first day
7 of the month in which any comparability payment becomes
8 payable under section 5304 or 5304a with respect to Gen-
9 eral Schedule employees within the District of Columbia
10 during any year, the annual rate of pay for positions at
11 each level of the Executive Schedule (exclusive of any pre-
12 vious adjustment under this subsection) shall be adjusted
13 by an amount, rounded to the nearest multiple of \$100
14 (or if midway between multiples of \$100, to the next high-
15 est multiple of \$100) equal to the percentage of such an-
16 nual rate of pay which corresponds to the percentage ad-
17 justment becoming so payable with respect to General
18 Schedule employees within the District of Columbia under
19 such section 5304 or 5304a (as applicable).

20 “(B) If an adjustment under this subsection is sched-
21 uled to take effect on the same date as an adjustment
22 under subsection (a), the adjustment under subsection (a)
23 shall be made first.

24 “(2) An annual rate of pay, as adjusted under para-
25 graph (1), shall for all purposes be treated as the annual

1 rate of pay for the positions involved, except as otherwise
 2 provided in subsection (a), paragraph (1), or any other
 3 provision of law.

4 “(3) Nothing in this subsection shall be considered
 5 to permit or require the continuation of an adjustment
 6 under paragraph (1) after the comparability payment (for
 7 General Schedule employees within the District of Colum-
 8 bia) on which it was based has been terminated or super-
 9 seded.”.

10 (2) CONFORMING AMENDMENTS.—Section 5318
 11 of title 5, United States Code, is amended—

12 (A) in the first sentence of subsection

13 (a)(1) (as so redesignated)—

14 (i) by striking “Subject to subsection

15 (b),” and inserting “Subject to paragraph

16 (2),”; and

17 (ii) by inserting “(exclusive of any

18 previous adjustment under subsection (b))”

19 after “Executive Schedule”; and

20 (B) in subsection (a)(2) (as so redesign-

21 nated), by striking “subsection (a)” and insert-

22 ing “paragraph (1)”.

23 (c) AMENDMENTS RELATING TO CERTAIN LIMITA-

24 TION AND OTHER PROVISIONS.—

1 (1) PROVISIONS TO BE APPLIED BY EXCLUDING
2 EXECUTIVE SCHEDULE COMPARABILITY ADJUST-
3 MENT.—Sections 5303(f), 5304(h)(1)(F), 5306(e),
4 and 5373(a) of title 5, United States Code, are each
5 amended by inserting “, exclusive of any adjustment
6 under section 5318(b)” after “Executive Schedule”.

7 (2) LIMITATION ON CERTAIN PAYMENTS.—Sec-
8 tion 5307(a) of title 5, United States Code, is
9 amended by adding at the end the following:

10 “(3) In the case of an employee who is receiving basic
11 pay under section 5372, 5376, or 5383, paragraph (1)
12 shall be applied by substituting ‘the annual rate of salary
13 of the Vice President of the United States’ for ‘the annual
14 rate of basic pay payable for level I of the Executive
15 Schedule’. Regulations under subsection (c) may extend
16 the application of the preceding sentence to other equiva-
17 lent categories of employees.”.

18 (3) REFERENCES TO LEVEL IV OF THE EXECU-
19 TIVE SCHEDULE.—Sections 5372(b)(1)(C),
20 5372a(b)(1), 5376(b)(1)(B), and 5382(b) of title 5,
21 United States Code, are each amended by striking
22 “level IV” each place it appears and inserting “level
23 III”.

1 **SEC. 2. PROVISIONS RELATING TO CERTAIN OFFICES AND**
2 **POSITIONS WITHIN THE JUDICIAL BRANCH.**

3 (a) INCREASE IN MAXIMUM RATES OF BASIC PAY
4 ALLOWABLE.—

5 (1) FOR POSITIONS COVERED BY SECTION
6 604(a)(5) OF TITLE 28, UNITED STATES CODE.—Section
7 604(a)(5) of title 28, United States Code, is
8 amended by striking “by law” and inserting “by law
9 (except that the rate of basic pay fixed under this
10 paragraph for any such employee may not exceed
11 the rate for level IV of the Executive Schedule)”.

12 (2) FOR CIRCUIT EXECUTIVES.—Section
13 332(f)(1) of title 28, United States Code, is amend-
14 ed by striking “level IV of the Executive Schedule
15 under section 5315” and inserting “level III of the
16 Executive Schedule under section 5314”.

17 (3) FOR PERSONNEL OF THE ADMINISTRATIVE
18 OFFICE OF THE UNITED STATES COURTS.—

19 (A) IN GENERAL.—Section 3(a) of the Ad-
20 ministrative Office of the United States Courts
21 Personnel Act of 1990 (Public Law 101–474;
22 28 U.S.C. 602 note) is amended—

23 (i) in paragraph (1), by striking “level
24 V” and inserting “level IV”; and

25 (ii) in paragraph (10), by striking
26 “level IV” and inserting “level III”.

1 (B) PROVISIONS RELATING TO CERTAIN
2 ADDITIONAL POSITIONS.—Section 603 of title
3 28, United States Code, is amended by striking
4 “level IV of the Executive Schedule under sec-
5 tion 5315” and inserting “level III of the Exec-
6 utive Schedule under section 5314”.

7 (b) SALARY OF THE DIRECTOR OF THE ADMINISTRA-
8 TIVE OFFICE OF THE UNITED STATES COURTS.—Section
9 603 of title 28, United States Code, is amended by strik-
10 ing “district” and inserting “circuit”.

11 **SEC. 3. EFFECTIVE DATE.**

12 The amendments made by this Act shall be effective
13 with respect to pay periods beginning on or after the date
14 of the enactment of this Act.

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